

REMARKS

Applicants have limited claims 1, 4, 5, and 15 to particularly point out and distinctly claim the subject matter which they regard as their invention. Support for the amendment can be found at page 3, lines 9-12 of the Specification. These amendments have necessitated cancellation of claims 7 and 19¹. No new matter has been introduced by the above amendments. The proposed amendments should be entered as they raise no new issues that will require further consideration or search and also do not touch the merits of the application within the meaning of 37 C.F.R. § 1.116(b).

Claims 1-6, 8, 9, 11-18, 20 and 21 are currently pending in this application. Reconsideration of the application, as amended, is respectfully requested in view of the remarks below.

Rejection under 35 U.S.C. § 112, second paragraph

Claims 5, 7-8, 11 and 20 are rejected as being indefinite on five grounds. See the Office Action, page 2, line 10 to page 3, line 2. Applicants traverse each ground below:

(1) The Examiner indicates that, "claim 5 is not commensurate within the scope of claim 4 from which it depends," as claim 5 recites an unsubstituted C₁₋₆ alkyl, whereas claim 4 does not. See the Office Action, page 2, lines 13-15. Applicants have amended claim 5 to correct this deficiency.

(2) The Examiner indicates that claim 7 discloses a compound with a t-butyl group as a substituent, which is not within the scope of claim 4 from which claim 7 depends. See the Office Action, page 2, lines 16 and 17. Applicants have cancelled claim 7.

(3) The Examiner points out that claim 8 discloses a compound with a trifluoromethyl group as a substituent, which is not within the scope of claim 4 on which claim 8 depends. See the Office Action page 2 lines 18 and 19.

Claim 4 has been amended to clearly cover compounds containing the trifluoromethyl group. Amended claim 4 recites "alkylaryl in which the aryl moiety is substituted with one or

¹ Claim 10 was cancelled previously in the response mailed on February 23, 2004.

more C₁₋₆ alkyl groups further substituted with hydroxyl, protected hydroxyl, amino, protected amino, carboxy, protected carboxy, alkoxy, halo, CN, or NO₂.”

The Specification supports this amendment. More specifically it states that “The term substituted used herein refers to moieties having one, two, or three or more substituents, which may be the same or different, each replacing a hydrogen atom. Examples of substituents include but are not limited to alkyl, hydroxyl, protected hydroxyl, amino, protected amino, carboxy, protected carboxy, cyano, alkoxy, halo and nitro.” See page 3, lines 9-12. As the Specification defines substituents to include a halo group, compounds containing the trifluoromethyl group clearly fall within the scope of claim 4. More specifically, a trifluoromethyl is a C₁₋₆ alkyl group, (here, methyl) further substituted with a halo (here, fluoro).

(4) The Examiner indicates that, “claim 11 is not commensurate within the scope of claim 1 from which it depends.” Specifically, it is the examiner’s position that claim 1 does not recite compounds with a trifluoromethyl group as a substituent. See the Office Action, page 2, lines 20 and 21.

Claim 1 has been amended to clearly cover compounds containing the trifluoromethyl group. Amended claim 1 recites “alkylaryl in which the aryl moiety is substituted with one or more C₁₋₆ alkyl groups further substituted with hydroxyl, protected hydroxyl, amino, protected amino, carboxy, protected carboxy, alkoxy, halo, CN, or NO₂.” As pointed out above, the Specification supports this amendment.

For the same reasons set forth above, compounds containing the trifluoromethyl group clearly fall within the scope of claim 1.

(5) The Examiner indicates that, “claim 20 is not commensurate within the scope of claim 15 from which it depends.” Claim 15 does not recite compounds with a trifluoromethyl group as a substituent. See the Office Action, page 3, lines 1 and 2.

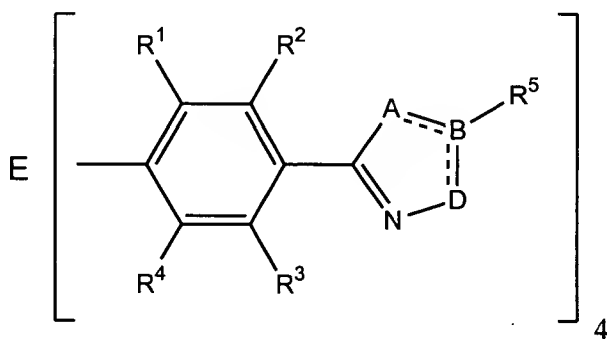
Claim 15 has been amended to clearly cover compounds containing the trifluoromethyl group. Amended claim 15 recites “alkylaryl in which the aryl moiety is substituted with one or more C₁₋₆ alkyl groups further substituted with hydroxyl, protected hydroxyl, amino, protected amino, carboxy, protected carboxy, alkoxy, halo, CN, or NO₂.” As pointed out above, the Specification supports this amendment.

For the same reasons set forth above, compounds containing the trifluoromethyl group clearly fall within the scope of claim 15.

Rejection under 35 U.S.C. § 102 (a)

Claims 1-6, 15-17, and 19 are rejected as being anticipated by WO 00/03565. See the Office Action, page 3, lines 9 and 10. On the other hand, the Examiner has concluded that claims 9, 12-14, 18 and 21 "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." See the Office Action, page 4, lines 1 to 3.

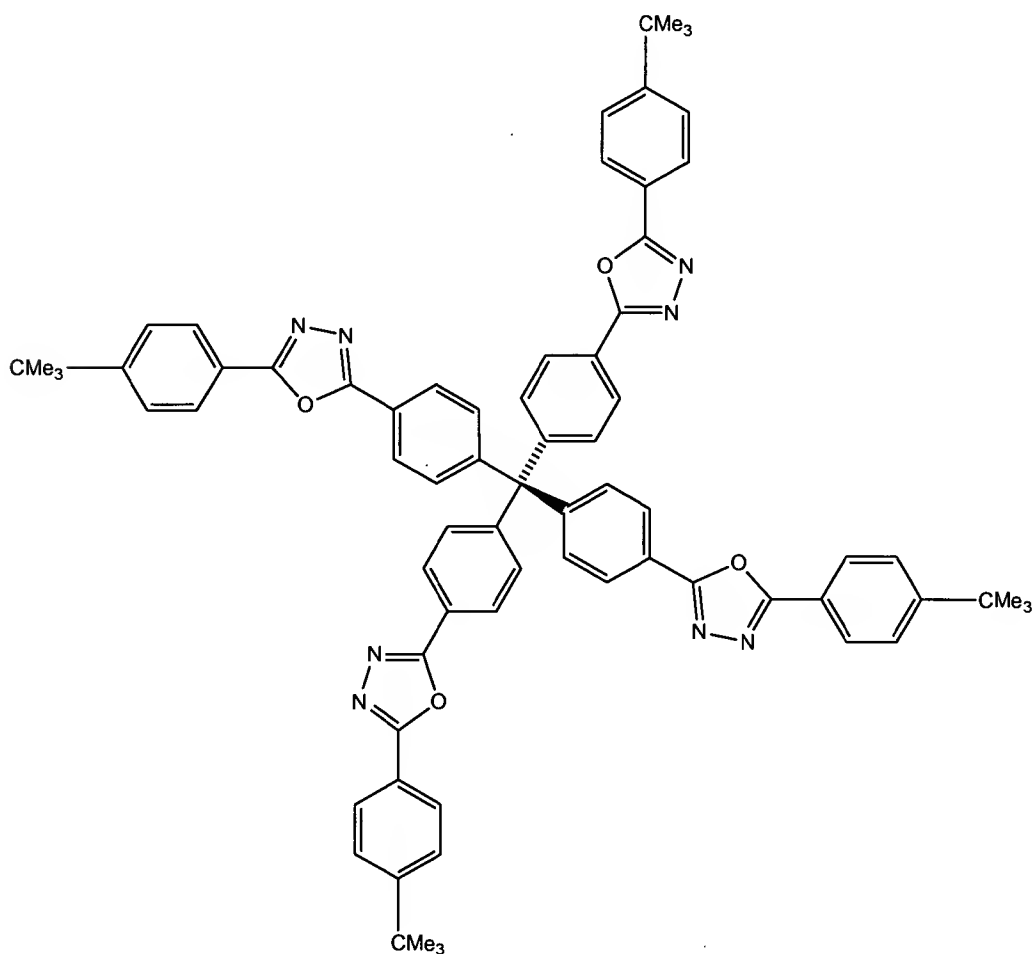
Claims 1 and 15, the only two independent claims, are discussed first. Amended claim 1 covers a compound of formula (I):



(I)

in which R¹⁻⁵, A, B, D, and E are defined in claim 1. More specifically, R⁵ can be alkylaryl in which the aryl moiety is substituted with one or more C₁₋₆ alkyl groups further substituted with hydroxyl, protected hydroxyl, amino, protected amino, carboxy, protected carboxy, alkoxy, halo, CN, or NO₂. Amended claim 15 covers an electroluminescence device containing a substrate, a hole transporting layer, an emitting layer, and an electron transporting layer, in which at least one of the hole transporting layer, the emitting layer, and the electron transporting layer includes a compound of formula (I).

WO 00/03565 teaches use of compounds containing a tetrahedral shaped core structure in light emitting devices. Specifically, it discloses at page 11, line 15 a compound of the following formula:



In this compound, each oxadiazole group is substituted with a 4-*t*-butylphenyl, which corresponds to R⁵ in formula (I). This compound is substantially different from those covered by formula (I) recited in amended claims 1 and 15. Indeed, the closest group assigned to R⁵ in these two claims is alkylaryl in which the aryl moiety is substituted with one or more C₁₋₆ alkyl groups further substituted with hydroxyl, protected hydroxyl, amino, protected amino, carboxy, protected carboxy, alkoxy, halo, CN, or NO₂. 4-*t*-butylphenyl is a phenyl moiety that is substituted with *t*-butyl, rather than, with “one or more C₁₋₆ alkyl groups further substituted with

hydroxyl, protected hydroxyl, amino, protected amino, carboxy, protected carboxy, alkoxy, halo, CN, or NO₂," as required in both claims 1 and 15. As R⁵ is not 4-*t*-butylphenyl, the above-mentioned prior art compound is different from those covered by the formula in claims 1 and 15.

Thus, claims 1 and 15 are not anticipated by WO 00/03565. Neither are claims 2-6, 8, 9, 11-14, 16-18, 20 and 21 all of which depend from claims 1 and 15.

Applicant : Chin-Ti Chen et al
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CONCLUSION

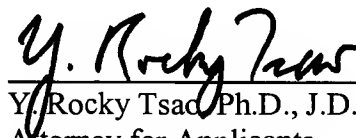
Applicants submit that the ground for rejection asserted by the Examiner has been overcome, and that claims 1-6, 8, 9, 11-18, 20 and 21 as pending, define subject matter that is novel. On this basis, it is submitted that all claims are now in condition for allowance, an action of which is requested.

Please apply any other charges or credits to deposit account 06-1050, referencing Attorney's Docket No. 08919-053001.

Respectfully submitted,

Date: _____

8-5-04


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